



Employment After Retirement



*California
Public
Employees'
Retirement
System*



Employment After Retirement

During retirement you may think about going back to work or taking a part-time job to earn some extra money or to occupy your time.

There are some basic rules about working after retirement you need to know so you will not jeopardize your CalPERS retirement benefits.

Please read this information carefully so that when you agree to accept employment you are aware of any effect your employment will have on your retirement benefit.

1. You may work without restriction for any employer not participating in the CalPERS retirement program. However, if you retired for disability, are under age 50, and your employment would cause you to perform work very similar to that done prior to your disability retirement, CalPERS may reevaluate your medical condition to determine if you should be reinstated from disability retirement.





2. You will need CalPERS approval to accept permanent full-time employment with a CalPERS-covered agency. You must either reinstate from retirement (return to active membership) or be approved to work under a specific section of retirement law unless the employment qualifies you for membership in the University of California Retirement System or the State Teachers' Retirement System.
3. You may work for a CalPERS-covered employer without reinstatement if your employment is temporary in nature or is in one of the categories permitted by law. However, you will not receive any service credit or acquire any retirement rights for this employment. The circumstances under which you may be employed are described on the following pages.
4. If you retired from a public agency on or after July 1, 1994 and received additional service credit as a retirement incentive ("Golden Handshake"), contact your former employer or CalPERS before working in any capacity, even as a volunteer, for a CalPERS agency. You may risk forfeiting your additional service credit by returning to work for a CalPERS-covered agency.

Common Dandelion

Taraxacum officinale

Found throughout the United States, and in many California lawns, the dandelion's leaves can be used in tea, salad and soups. Dandelion wine is made from the flower heads. The flower's name refers to its jagged leaves, or "lion's tooth," which is dent de lion in French.

Employment Permissible Without Reinstatement

Temporary Employment—All CalPERS Employers

You may be employed by a State agency, a CalPERS contracting agency, a school employer, the University Of California or the California State University, based on these conditions:

- Your employment must be either during an emergency to prevent stoppage of public business or because you have skills needed in performing work of limited duration.
- Your pay rate for your employment may not be less than the minimum nor more than the maximum paid to other employees performing comparable duties.
- The combined amount of time you may work for all employers is limited to 960 hours. This may be based on either a calendar year or fiscal year, depending on the employer and type of employment.

State agency, contracting agency or nonacademic position with the University Of California - The basis for the 960-hour limit is calendar year.

Academic staff of California Community Colleges or University of California - The basis for the 960-hour limit is fiscal year.

Academic staff of California State University - The basis for the 960-hour limit is *fiscal* year. However, there is a further limit to 50% of the hours you were employed during your last fiscal year of service prior to retirement.



Note: Any faculty employee of a California State University who retired between August 15, 1992 and October 3, 1992, and received the four additional years of service retirement incentive, will forfeit the additional service and allowance increase if employed under contract or on any other basis with the Trustees of the California State University. The only exception is noncompensated service.

School employer or non-academic staff of California State University - The basis for the 960-hour limit is fiscal year.

Substitute at California School For The Deaf or California School For The Blind - If you are employed as a substitute in a position requiring certification qualifications (under Section 59007 or Section 59113 of the Education Code), the basis for the 960 hour limit is fiscal year.

Juror Or Election Officer

You may serve as a juror or election officer and receive fees for such service.

School Crossing Guard

You may be employed as a school crossing guard and receive wages for such service.

Preparation For Litigation/Testimony For Former Employer

If your former employer needs your services to prepare for potential or actual litigation or to testify in trial proceedings or a hearing, you may be paid per diem and travel expenses. However, you may not be paid a rate higher than the rate paid other persons for similar

services. Your per diem allowance will be reduced by the retirement benefit paid to you for the days of employment.

If you are a retired State employee, this type of employment must be approved by the State Board Of Control. If you are retired from a CalPERS contracting agency, the governing body of the agency must approve your employment.

Appointive Positions

You may serve as a member of any salaried or nonsalaried board, commission, or advisory committee if you are appointed by the Governor, Speaker of the Assembly, President pro Tempore of the Senate, the director of a State department, or the governing board of the contracting agency.

You may be appointed to serve as a member of the governing body of a contracting agency. The compensation for this position may not exceed \$100 per month.

You may be appointed by either House of the Legislature or a Legislative committee to a position deemed by the appointing power to be temporary in nature.

You may be appointed by the governing body of a contracting agency to a position deemed by the governing body to be of a limited duration and requiring specialized skills. This appointment shall be only to fill a temporary vacancy until a permanent appointment can be made.

Elective Positions

You may serve as an elected official without reinstatement from retirement. However, any retirement allowance based on previous service in the same elected position will be suspended for your current term in office.

Employment Of Persons Retired For Disability

If you are retired from CalPERS because of a disability, you may work for any non-CalPERS covered employer and continue to receive disability retirement benefits. There is no limit on the number of hours of employment; however, there is a limit to the amount you may earn if you are under age 50 – unless your retirement is classified as industrial disability. If you are subject to the earnings limit, your retirement allowance will be reduced whenever the total of your CalPERS pension and your new salary exceeds the amount of the current compensation paid to a person in the classification from which you retired because of your disabling condition.

If you are under age 50 and your employment causes you to perform job duties very similar to those performed prior to your disability retirement, CalPERS may

Cattail

Typha latifolia

Cattails can be found in ponds, or marshes throughout California. The long, flat leaves of these reedy plants are often used to make mats and chair seats.



reevaluate your medical condition to determine if you should be reinstated from disability retirement.

Under certain conditions you may work for a CalPERS-covered employer while retired for a disabling condition. The restrictions regarding such employment are:

- Your employment must be in a position and member classification that is different from the job you last held prior to retirement.
- You must have approval from CalPERS before you begin employment.
- Your new earnings are limited to the compensation earnable by a person holding the position you held at the time of retirement. The total of the employer-paid portion of your monthly allowance and your new earnings cannot be greater than the current amount of the maximum compensation of the position from which you retired. This earnings limit does not end when you reach age 50.

Showy Thistle

Cirsium pastoris

Sometimes considered obnoxious weeds in our California fields and meadows, thistles are quite beautiful in bloom. When June arrives, the showy thistle is striking with its blaze of red flowers and white foliage, which fade as September approaches.





Consequences Of Employment Not Allowed By Law

The law provides consequences for employment outside of the described limits previously discussed. These consequences may apply to both the retired CalPERS member and the employer.

If you accept employment in a permanent full-time position with a CalPERS employer before you have CalPERS written approval of your request for reinstatement, you may be subject to mandatory reinstatement from retirement. The law provides that you shall have to reimburse CalPERS for any retirement allowance received during the period of employment in violation of the law.

You will also have to pay CalPERS the amount of employee contributions which would be due if you had been brought into active membership on a timely basis, plus interest. There also may be a requirement to contribute toward reimbursement for any administrative expenses incurred by CalPERS, to the extent you are determined to be at fault.

The agency employing you in violation of the provisions of the law will have to pay to CalPERS an amount of money equal to the employer contributions which should have been paid for the period of the employment, plus interest. The employer may also have to contribute toward reimbursement of administrative expenses incurred by CalPERS, to the extent the employer is found to be at fault.



For More Information

Benefit Services Division

P.O. Box 942711

Sacramento, Ca 94229-2711

(916) 326-3848 or (800) 352-2238

(916) 326-3240 — TDD

(916) 326-3933 — Fax

Regional Offices

Refer to *Do You Have The Right Number?*

(PERS-PUB-19) for a directory to CalPERS

Area and Field Office Locations.

While reading this material, remember that we are governed by the California Public Employees' Retirement Law. The statements in this booklet are general. The Retirement Law is complex and subject to change. If there is a conflict between the law and this booklet, any decisions will be based on the law and not this booklet.



How Did You Like This Brochure

If you would like to share your opinion of this brochure, please send us your ideas. Your constructive comments can help us make this brochure even better. Please answer the questions below and mail this page to the following address:

California Public Employees' Retirement System
Office of Public Affairs
P.O. Box 1802, Sacramento, CA 95812-1802

1. This brochure is designed to provide an overview of retirement information. Did you get a useful overview of the information from reading this brochure?
☐ Yes ☐ No If no, what do you find lacking?

2. Did you have questions after reading any sections?
☐ Yes ☐ No If yes, in what sections do you have questions, and what are your questions?

3. Did you find any sections particularly helpful?
☐ Yes ☐ No If yes, which sections?

4. Did you find yourself wanting additional information on any subjects?
☐ Yes ☐ No If yes, which subjects?

5. If you have other comments, please share them below.





*California Public Employees'
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400 P Street

Sacramento • CA 95814

www.calpers.ca.gov

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